THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 24981 of 1998

Date: 12.10.2007

Between:

Natco Pharma Limited,
Banjara Hills, Hyderabad.

... Petitioner

AND

The Authority under Sec.48 of the
APSE Act & Asst. Commissioner of Labour,
Nellore and another.

... Respondents

Counsel for the petitioner : None

Counsel for respondent No.2: Shri B.G. Ravindranath Reddy

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 24981 of 1998

ORDER:-

This writ petition is filed for a writ of Certiorari to quash order dated 12.08.1998 in S.E.No.2 of 1997 on the file of the Authority under Section 48 of the Andhra Pradesh Shops and Establishment Act (for short "the Act") and Assistant Commissioner of Labour, Nellore.

Sri B.G. Ravinder Reddy, learned counsel for respondent No.2 pointed out, in my view, rightly that under Section 48(3) of the Act, a second appeal shall lie against any decision of the authority passed under sub-section (2) of Section 48 of the Act. Respondent No.2 specifically raised this contention in his counter-affidavit.

No rejoinder affidavit is filed on behalf of the petitioner.

Since an effective alternative remedy by way of appeal is available to the petitioner, there is no reason to entertain and dispose of the writ petition on merits. The petitioner has not made out any extraordinary reason to ignore the availability of alternative remedy.

In view of the same, the writ petition is dismissed with liberty to the petitioner to avail the remedy of appeal. No order as to costs.

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C.V.NAGARJUNA REDDY, J

Date: 12.10.2007
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